

REMARKS

By this amendment, claims 250-251, 258-260, 265, 271-273, 279-280, 290, 292, 297, 301-302, 312, and 316 have been amended, and claims 323-351 have been canceled without prejudice or disclaimer. Claims 1-249 have been previously canceled. Accordingly, claims 250-322 are currently pending in the application, of which claims 250, 265, 279, 290, 301, and 312 are independent claims.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments may be found at least in Figure 8A, at page 39, line 20 to page 40, line 22, and at page 54, line 9 to page 55, line 15 of the specification.

Entry of the Amendment is proper under 37 C.F.R. §1.116 because it (a) places the application in *prima facie* condition for allowance for the reasons discussed herein; (b) does not raise new issues requiring further search and/or consideration by the Examiner because similar subject matter was previously considered by the Examiner and thus further consideration and/or search by the Examiner is not warranted; and (c) places the application in better form for appeal, should an appeal be necessary. For at least these reasons, entry of the present Amendment is therefore respectfully requested. Accordingly, Applicants request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 102

Claims 250, 251, 253, 255-257, 265, 267-270, 277, 305-306, 323-324, 326-327, and 338 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 5,946,634 issued to Korpela ("Korpela").

In order for a rejection under 35 U.S.C. § 102(e) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(e) rejection improper.

Korpela fails to disclose every limitation this invention. For example, claim 250 as amended recites, *inter alia*:

providing the terminal with a message comprising core network operating type information and an information element identifying an operating type of a core network, ...

wherein the operating type of the core network comprises global system for mobile communications application part (GSM-MAP) or ANSI-41. (emphasis added)

Korpela fails to disclose at least these features. Referring to Fig. 8 and col. 6, lines 15-25 of Korpela, a signal transmitted from the radio access network includes a country identification portion 101, a network identifying portion 103, and a backbone network type code 102. The backbone network type code 102 indicates, at most, “whether the network is, for example, a GSM network, a B-ISDN network, and so on,” which is distinct from an operating type of a core network comprising GSM-MAP or ANSI-41. Korpela, col. 6, lines 24-25. Further, even assuming that an operating type of a core network could be inferred or deduced from Korpela’s backbone network type code 102, Korpela fails to disclose “a message comprising ... an information element identifying an operating type of a core network” (emphasis added). For at least this reason, Korpela’s backbone network type code 102 fails to disclose “a message comprising ... an information element identifying an operating type of a core network” wherein “the operating type of the core network comprises global system for mobile communications application part (GSM-MAP) or ANSI-41” (emphasis added). Accordingly, Korpela fails to disclose at least these features of claim 250.

Similarly, claim 265 as amended recites, *inter alia*:

messaging block for providing the terminal with a message comprising the core network operating type information and an information element identifying the operating type of the core network through a predetermined channel, ...

wherein the operating type of the core network comprises global system for mobile communications application part (GSM-MAP) or ANSI-41.

Independent claims 279, 290, 301, and 312 have been amended consistently with claims 250 and 265, and Korpela therefore fails to disclose all features of these independent claims for at least the reasons asserted above with respect to claim 250. Further, the dependent claims are also allowable over Korpela alone because of their dependence from these independent claims.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of claims 250, 251, 253, 255-257, 265, 267-270, 277, 305-306.

Claims 323-324, 326-327, and 338 have been canceled and the rejection thereof has been rendered moot.

Rejections Under 35 U.S.C. § 103

Claims 252, 254, 266, 268, 325, 327, 339, and 341 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Well Known Prior Art, of which the examiner takes Official Notice ("Well Known Prior Art").

Applicants respectfully submit that claims 250 and 265 as amended are allowable over Korpela alone. The asserted Well Known Prior Art fails to cure the deficiencies of Korpela alone noted above with regard to claims 250 and 265. Hence, claims 252, 254, 266, and 268 are allowable at least because they depend from allowable base claims.

Claims 325, 327, 339, and 341 have been canceled and the rejection thereof has been rendered moot.

Claims 279-280, 282-292, 294, 297-302, 304, 312, 314, 322, 329, 334, and 335 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of U.S. Patent No. 6,389,008 issued to Lupien *et al.* ("Lupien").

As asserted above, claims 279, 290, 301, and 312 as amended recite similar limitations as claims 250 and 265. Therefore, for at least the reasons asserted above with respect to claims 250 and 265, Korpela fails to disclose every limitation of claims 279, 290, 301, and 312. Lupien fails to cure the deficiencies of Korpela alone with regard to claims 279, 290, 301, and 312. Hence, claims 279-288, 290-292, 294, 297-300, 312, 314, and 322 are allowable at least because they depend from allowable base claims.

Claims 329, 334, and 335 have been canceled and the rejection thereof has been rendered moot.

Claims 281, 283, 293, 295, 303, 313 and 315 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Lupien and further in view of Well Known Prior Art ("Official Notice").

Applicants respectfully submit that claims 279, 290, 301, and 312 as amended are allowable over Korpela in view of Lupien. The asserted Well Known Prior Art fails to cure the deficiencies of Korpela and Lupien alone with regard to claims 279, 290, 301, and 312. Hence, claims 281, 283, 293, 295, 303, 313 and 315 are allowable at least because they depend from allowable base claims.

Claims 263, 264, 336, and 337 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of 3GPP Technical Specification TS 25.331 V3.0 (1999-10) ("Specification"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claim 250 is allowable over Korpela alone. The asserted Specification fails to cure the deficiencies of Korpela alone noted above with regard to claim 250. Hence, claims 263 and 264 are allowable at least because they depend from an allowable base claim.

Claims 336 and 337 have been canceled and the rejection thereof has been rendered moot.

Claims 276, 277, 289, 296, 311, 321, 349, and 350 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Lupien, and further in view of the Specification.

Applicants submit that claims 265, 279, 290, 301, and 312 are allowable over Korpela in view of Lupien. The asserted Specification fails to cure the deficiencies of Korpela and Lupien noted above with regard to claims 265, 279, 290, 301, and 312. Hence, claims 276, 277, 289, 296, 311, and 321 are allowable at least because they depend from allowable base claims.

Claims 349 and 350 have been canceled and the rejection thereof has been rendered moot.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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